

EXHIBIT C

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

5 STEVEN McDERMOTT,)
6 Plaintiff,)
7 and) Civil Action No.:
8 STACY McDERMOTT,) 04-CV-12253MLW
9 Plaintiff,)
10 vs.)
11 FEDEX GROUND PACKAGE)
12 SYSTEMS, INC.,)
13 Defendant,)
14 and)
15 T. S. PRUITT,)
16 Defendant.)

DEPOSITION OF JAMES T. FOSBRTNK

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20 WITHOUT AUTHORIZATION FROM THE CERTIFYING
AGENCY

ORIGINAL

J. Fosbrink - by Mr. Brown

A. No.

Q. I understand that you're having some health issues. Can you please describe those to me?

A. I got what they call Wegener's granular cytosis. Don't ask me to spell it.

Q. Are you currently taking any medications?

A. Yes.

Q. Can you please describe those?

A. I take 175 milligrams of Cytoxan every day, 60 milligrams of steroids, and I take -- oh, I can't name them all. I take 26 different pills a day.

Q. Can you tell me if either your medications or the Wegener's disease affects your ability to testify in any way today?

A. Well, the doctor says maybe yes, maybe no because I got fluid on the brain.

Q. To the best of your knowledge, would that affect your memory?

A. NO.

Q. I'm sure you know we are here today to discuss the February 7, 2003 tractor-trailer

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2 COMMONWEALTH OF PENNSYLVANIA)

3 COUNTY OF ALLEGHENY)

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I, Pamela J. Rose, a notary public in
and for the Commonwealth of Pennsylvania, do
hereby certify that the witness,
JAMES T. FOSBRINK, was first duly sworn to
testify the truth, the whole truth, and nothing
but the truth; that the foregoing deposition
was taken at the time and place stated herein;
and that the said deposition was recorded
stenographically by me and then reduced to
typewriting under my direction, and constitutes
a true record of the testimony given by said
witness, all to the best of my skill and
ability.

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I further certify that the inspection,
reading and signing of said deposition were
waived by counsel for the respective parties
and by the witness.

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I further certify that I am not a
relative, or employee of either counsel, and
that I am in no way interested, directly or
indirectly, in this action.

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IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my seal of office this
30th day of August, 2006.

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S/Pamela J. Rose

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Pamela J. Rose

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